

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

THURMAN HARVEY HINES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>Case No. CIV-19-215-RAW-SPS</b>
	)	
JOE ALLBAUGH, ET AL.,	)	
	)	
Defendants.	)	

**DEFENDANT ALLBAUGH'S MOTION TO CONTINUE THE  
SPECIAL REPORT AND DISPOSITIVE MOTION DEADLINES**

**COMES NOW** Defendant Allbaugh, and pursuant to LCvR 7.1(i), hereby requests that the Court continue the deadline to file the Special Report and dispositive motion, entered at Doc. 64. In support of this Motion, Defendant Allbaugh would show the Court the following:

1. On January 9, 2020, the Court entered an order requiring the Special Report and dispositive motion to be filed within (60) days of entry of the order, or by March 9, 2020. Doc. 64.

2. Although undersigned counsel forwarded the Order to the Oklahoma Department of Corrections (DOC), the entity responsible for preparing the Special Report, the Report has not yet been completed. Specifically, the employee responsible for compiling the Report left employment with the DOC before beginning the Report. He also failed to make arrangements for the Report's completion.

3. Although the Report has since been started by DOC, it could not be timely completed before the March 9, 2020 deadline. Furthermore, DOC has advised that the Report will not be complete for another thirty (30) days.

4. Defendant Allbaugh therefore asks that the deadline to comply with the Court's Special Report and dispositive motion deadline be extended by thirty days, or until April 8, 2020.

5. Defendant has not previously requested a continuance of any deadline, beyond the initial *Application to Stay Proceedings and Request for Order Requiring Special Report and Brief in Support*, filed at Doc. 61.

6. Counsel for Defendant Allbaugh has not conferred with Plaintiff on this matter, as he is currently pro se and has not listed a telephone number.

7. Undersigned counsel attests that this request for continuance is being made in good faith and not for dilatory reasons or any other improper purpose. This request for a continuance will not impact any other deadlines in this case.

For the above and foregoing reasons, Defendant Allbaugh respectfully requests that the Court continue the March 9, 2020 deadline to submit the Special Report and dispositive motion for thirty (30) days, or until April 8, 2020.

Respectfully submitted,

/s/ Kari Y. Hawkins

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*Attorney for Defendant Allbaugh*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of March, 2020, I electronically transmitted the attached document to the Clerk of the Court using the ECF system for filing and transmittal by U.S. Mail to the following person who is not an ECF registrant:

Thurman H. Hines, Jr., DOC #182745

2627 N.E. 18<sup>th</sup> Street

Oklahoma City, OK 73111

*Plaintiff Pro se*

I further certify that on the 6<sup>th</sup> day of March, 2020, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing and transmittal of the Notice of Electronic Filing to the following ECF registrants:

Darrell Moore

P.O. Box 368

Pryor, OK 74362

/s/ Kari Y. Hawkins

Kari Y. Hawkins